

Docket No. BM45378

#8

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : International Application No.: PCT/EP00/01468  
 Jean-Louise Ruelle : I.A. Filing Date: 23 February 2000  
 Serial No.: 09/914,168 : Priority Date: 26 February 1999  
 For: Immunogenic Compounds :

Commissioner for Patents  
 Box PCT  
 Washington, DC 20231

## RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Sir:

This is in reply to the communication mailed 01 April 2002 from the Patent Office, entitled Notification of Defective Response ("Notice"). A copy of the Notice is enclosed.

Applicants submitted two separate Declarations/Powers of Attorney in response to the Missing Requirements. The Declaration/Power of Attorney in the name of Joelle Thonnard was filed in error.

Applicants telephoned the PCT Legal Office, and were advised to respond to this notice by: requesting that the Declaration/Power of Attorney of Mr. Thonnard be withdrawn and that we submit a copy of the Declaration/Power of Attorney of Jean-Louise Ruelle, whose citizenship is Belgium as stated on the Power.

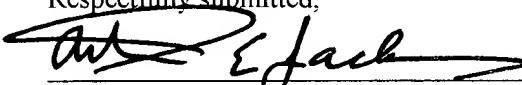
It is respectfully noted that the Declaration of Jean-Louise Ruelle lists the city and residence of the inventor. Thus, the defect recited on page 2 of the Notice does not apply. Also, the Declaration identifies the citizenship of the inventor, and meets the warning requirement of 37 CFR 1.68. Hence all defects are addressed or do not apply to the Declaration of Jean-Louise Ruelle.

If there are any additional fees due in connection with this response, they should be charged to Deposit Account No. 50-0258. Any overpayment or refund should be credited to Deposit Account No. 50-0258.

06/01/2002 3002580 00000112 500258 0991468  
 01 50-0258 130.00 CH

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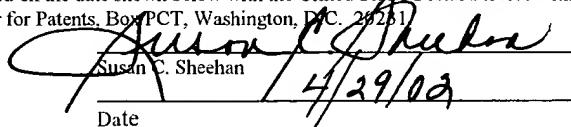
Respectfully submitted,



Arthur E. Jackson  
 Registration No. 34,354  
 Attorney for Applicant

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being caused to be deposited on the date shown below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box PCT, Washington, D.C. 20231.

  
 Susan C. Sheehan

Date

4/29/02



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/914,168	Jean-Louis Ruelle	BM45378
INTERNATIONAL APPLICATION NO.		PCT/EP00/01468
I.A. FILING DATE		PRIORITY DATE
02/23/2000		02/26/1999
<b>CONFIRMATION NO. 2038</b> <b>371 FORMALITIES LETTER</b>  *OC000000007744632*		

Date Mailed: 04/01/2002

### NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

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The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
  - does not identify the citizenship of each inventor.
  - Inventor "Joelle Thonnard" listed on Declaration but not the International Application with no documentation supporting his addition.

Applicant is required to complete the response within a time limit of **ONE MONTH** from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Additionally the following defects have been observed:

- The oath of declaration does not comply with 37 CFR 1.63 in that it:
  - does not identify the mailing address of each inventor. If the residence is different from the mailing address, then the city and state or city and foreign country of residence of each inventor must also be given.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

BARBARA A CAMPBELL

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Telephone: (703) 305-3631

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/914,168	PCT/EP00/01468	BM45378

FORM PCT/DO/EO/916 (371 Formalities Notice)